

Wednesday, February 13, 2008

House Meets At...	Votes Predicted At...
10:00 a.m. For Legislative Business	Last Vote: 5:00-6:00 p.m.
Fifteen "One-minutes" Per Side	

**Any anticipated Member absences for votes this week should be reported to the Office of the Majority Whip at 226-3210.**

### **Floor Schedule and Procedure**

- **Suspension Bills:** Today, the House will consider several bills on the Suspension calendar. Bills considered on the Suspension calendar are debatable for 40 minutes; may not be amended; and require a two-thirds vote for passage. If a recorded vote is requested, it will be postponed.
  1. **H.Res. 917** - Supporting the goals and ideals of National Engineers Week, and for other purposes (Rep. Lipinski – Science and Technology)
  2. **H.R. 1834** - National Ocean Exploration Program Act (Rep. Saxton – Science and Technology)
  3. **H.Res. 966** - Honoring African American inventors, past and present, for their leadership, courage, and significant contributions to our national competitiveness (Rep. Eddie Bernice Johnson – Science and Technology)
  4. **H.Con.Res. 289** - Honoring and praising the National Association for the Advancement of Colored People on the occasion of its 99th anniversary (Rep. Al Green – Judiciary)
  5. **H.R. 4169** – American Braille Flag Memorial Act (Rep. Tiahrt – Veterans' Affairs)
  6. **H.Res. 790** - Commending the people of the State of Washington for showing their support for the needs of the State of Washington's veterans and encouraging residents of other States to pursue creative ways to show their own support for veterans (Rep. Baird – Veterans' Affairs)

7. **H.Res. 963** - Supporting the goals and ideals of National Salute to Hospitalized Veterans Week, and for other purposes. (Rep. Rodriguez – Veterans' Affairs)
  8. **S. 2571** - To make technical corrections to the Federal Insecticide, Fungicide, and Rodenticide Act (Sen. Harkin – Agriculture)
  9. **H.Res. 972** – Supporting the Goals and Ideals of American Heart Month and National Wear Red Day (Rep. Capps – Energy and Commerce)
  10. **H.Res. 971** - Expressing the sympathies and support of the US House of Representatives for the individuals and institutions affected by the powerful tornados that struck communities in Alabama, Arkansas , Kentucky, Mississippi, and Tennessee on February 5, 2008 (Rep. Gordon – Transportation and Infrastructure)
- **H. Res. 976–Rule providing for consideration of H.R. 5349 – To Extend the Protect America Act of 2007 for 21 Days (Rep. Hastings (FL)-Rules):** The closed rule provides one hour of debate, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. The rule provides one motion to recommit with or without instructions. Debate on the rule will be managed by Rep. Alcee Hastings, and consideration will proceed as follows:
    - One hour of debate on the rule.
    - Possible vote on a Democratic Motion ordering the previous question. **Democrats are urged to vote yes.**
    - Vote on adoption of the rule. **Democrats are urged to vote yes.**
  - **H.R. 5349 – To Extend the Protect America Act of 2007 for 21 Days (Reps. Conyers/Reyes-Judiciary/Intelligence):** Debate on the bill will be managed by Judiciary Committee Chair Rep. John Conyers, or his designee, and Intelligence Committee Chair Rep. Silvestre Reyes, or his designee, each for twenty minutes, and will proceed as follows:
    - Forty Minutes of debate on the bill.
    - Possible debate and vote on a Republican Motion to Recommit the bill.
    - Vote on passage of the bill. **Democrats are urged to vote yes on passage of the bill.**

- **H. Res. 974 –Rule providing for consideration of H.R. 3521 - Public Housing Asset Management Improvement Act of 2007 (Rep. Sutton – Rules):** The structured rule provides one hour of general debate equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Financial Services. No amendments shall be in order except those amendments printed in the Rules Committee report accompanying the resolution. The rule provides one motion to recommit with or without instructions. The rule provides that H.Res. 955 is laid on the table. Debate on the rule will be managed by Rep. Sutton, and consideration will proceed as follows:
  - One hour of debate on the rule.
  - Possible vote on a Democratic Motion ordering the previous question. **Democrats are urged to vote yes.**
  - Vote on adoption of the rule. **Democrats are urged to vote yes.**
  
- **H.R. 3521 - Public Housing Asset Management Improvement Act of 2007 (Rep. Sires – Financial Services):** Debate on the bill will be managed by Financial Services Chair Rep. Barney Frank, or his designee, and will proceed as follows:
  - One hour of debate on the bill.
  - Debate and votes on amendments to the bill.
  - Possible debate and vote on a Republican Motion to recommit the bill.
  - Vote on passage of the bill.
  
- **Postponed Suspension Vote:**
  1. **H.Res. 960** - A resolution congratulating the National Football League champion New York Giants for winning Super Bowl XLII (Rep. Rothman – Oversight and Government Reform)

## **Bill Summary and Key Issues**

### **H.R. 5349 – To Extend the Protect America Act of 2007 for 21 Days**

We are currently on the doorstep of passing long-term FISA reform to do just that, but the PAA is set to expire on Saturday, and we need additional time to get FISA right.

In November, the House passed the RESTORE Act, a FISA-reform bill that would provide the Intelligence Community with all the tools it needs to conduct effective surveillance without undermining the Constitution.

The Senate just passed a FISA-reform bill. The Senate bill is very complex and markedly different from the House-passed RESTORE Act. But the clock is about to run out on the PAA, and the President wants to ram the Senate bill through the House.

We should not be forced to legislate this way. We need additional time to consider some important matters connected to this legislation.

First, we need time for careful review of the Senate bill. Nevertheless, the White House wants us to vote on the Senate bill right away.

Second, we need time to resolve the significant differences between our bill and theirs. The RESTORE Act includes some important Constitutional protections that are missing from the Senate bill. Also, the Senate bill provides retroactive immunity for telecommunications companies that participated in the President's warrantless surveillance program. These are important and controversial issues, and we cannot be expected to resolve them without holding a proper conference with the Senate.

Third, we need time to review reams of highly classified documents that the White House only made available to us recently. We need to understand these documents if we are to assess whether immunity for telecommunications companies is warranted.

The extension we seek is only 21 days. This will not in any way hinder the ability of the Intelligence Community to do its job. Despite what the Administration might say, nothing terrible will happen if this bill is passed. This short period of additional time is what we need to make sure that the laws we write are sound and carefully considered.

### **H.R. 3521 – PUBLIC HOUSING ASSET MANAGEMENT IMPROVEMENT ACT OF 2007**

H.R. 3521 is a carefully written bill intended to provide flexibility to the nation's 3,100 public housing authorities (PHAs) as they embark on the most significant administrative transformation in the last 30 years, commonly referred to as "asset management." Under asset management, PHAs are moving from a system of managing public housing developments on an agency-wide basis to a system of administering each development on a project-level basis. While most agree that it is desirable for PHAs to move to asset management, the disagreement arises over how this transition is implemented. PHAs have raised strenuous objection to the inflexible manner in which HUD is implementing asset management and have strongly questioned HUD's decision to force PHAs to be in compliance with asset management prior to 2011. They also object to HUD's restrictions on how they may use their operating and capital funds to successfully implement asset management. The bill responds to these objections by providing regulatory relief to PHAs transitioning to asset management.

The flexibility provided by this bill is critical because the move to asset management comes at a time of declining resources for public housing, which has in turn exacerbated the challenge faced by PHAs in converting to asset management. Public housing was funded at approximately \$7.1 billion in FY 2001 while the FY 2009 budget request calls for approximately \$6.3 billion in funding. PHAs should be given more, not less, flexibility in managing the declining funds being given to them.

Specifically, H.R. 3521 includes the following important provisions: (1) it would ensure that the management and related fees established by PHAs are reasonable by allowing PHs, rather than HUD, determine such fees prior to 2011; (2) it would clarify that PHAs may use a portion of their capital fund grant for operating expenses; (3) it would raise the level at which small PHAs are exempt from asset management from 250 to 500; and (4) it would encourage participation of public housing residents in the implementation of asset management.

The bill does not eliminate asset management or make it voluntary for all agencies. In addition, H.R. 3521 passed the Financial Services Committee by voice vote and the CBO estimates that the bill will have no significant impact on federal spending and does not contain any mandatory costs. Finally, the bill has been endorsed by all the groups that represent public housing administrators and agencies as well as by tenant advocacy groups, which were instrumental in developing language to ensure that affected residents are given an opportunity to comment on the impact of asset management.

### **Anticipated Amendments to H.R. 3521**

**Frank (MA)/Sires (NJ):** The amendment clarifies the intent of an amendment offered by Rep. Velazquez and adopted by the Financial Services Committee by ensuring that public housing authorities that apply to HUD for “stop-loss” do not have their applications rejected on the basis that the management and related fees they establish pursuant to this bill are not reasonable as defined by HUD. Additionally, the amendment is a restatement of current law with respect to the ineligibility of illegal immigrants for assistance. (10 minutes)

**Meek (FL):** The amendment holds HUD responsible, in the case of receivership, for performing the same responsibilities that the local housing agencies have in respect to working with tenant associations before building public housing. Additionally, in the case of receivership, before building new public housing HUD must honor any formal agreements entered into before the commencement of such receivership between the local housing authority and the tenant association. (10 minutes)

### **Quote of the Day**

“Every man takes care that his neighbor shall not cheat him. But a day comes when he begins to care that he do not cheat his neighbor. Then all goes well.”  
-Emerson